

AMENDED IN ASSEMBLY APRIL 1, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1974**

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**Introduced by Assembly Member Quirk**

February 19, 2014

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An act to amend Section 87202 of, and to add Section 83103.5 to the Government Code, relating to the Political Reform Act of 1974 health facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1974, as amended, Quirk. ~~Appointed officials: disclosure statement.~~ *Health facilities: special services.*

*Existing law provides for the licensure and regulation of health facilities by the State Department of Public Health and prohibits a health facility from providing a special service without the approval of the department. Existing law defines a "special service" to mean a functional division, department, or unit of a health facility that is organized, staffed, and equipped to provide a specific type of patient care and that has been identified by regulations of the department and for which the department has established special standards for quality of care.*

*The bill would specify that a "special service" does not include a functional division, department, or unit of a nursing facility that is organized, staffed, and equipped to provide physical therapy services, occupational therapy services, or speech pathology and audiology services to residents of the facility.*

~~Under the Political Reform Act of 1974, every person who is appointed as a member to a specified office, including the Fair Political Practices Commission, is required to file a statement disclosing his or~~

~~her investments and interests in real property held on the date of assuming office, and income received during the 12 months before assuming office. Existing law requires that the statement be filed not more than 30 days after assuming office, as specified.~~

~~This bill would instead require a person who is nominated as a member of the Fair Political Practices Commission to file the disclosure statement no later than 30 days prior to assuming office.~~

~~The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a  $\frac{2}{3}$  vote of each house and compliance with specified procedural requirements.~~

~~This bill would declare that it furthers the purposes of the act.~~

~~Vote:  $\frac{2}{3}$ -majority. Appropriation: no. Fiscal committee: no-yes. State-mandated local program: no.~~

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 1252 of the Health and Safety Code is  
2     amended to read:

3     1252. "Special service" means a functional division,  
4     department, or unit of a health facility ~~which~~ that is organized,  
5     staffed, and equipped to provide a specific type or types of patient  
6     care and ~~which~~ that has been identified by regulations of the state  
7     department and for which the state department has established  
8     special standards for quality of care. "Special service" does not  
9     include a functional division, department, or unit of a nursing  
10    facility that is organized, staffed, and equipped to provide physical  
11    therapy services, occupational therapy services, or speech  
12    pathology and audiology services to residents of the facility.

13    SECTION 1. ~~Section 83103.5 is added to the Government~~  
14    Code, to read:

15    83103.5. ~~A person who is appointed as a member of the~~  
16    Commission shall file a statement disclosing his or her investments  
17    and his or her interests in real property held on the date of his or  
18    her nomination, and income received during the 12 months before  
19    being nominated, in accordance with the requirements of Article  
20    2 (commencing with Section 87200) of Chapter 7. The person  
21    nominated shall file the disclosure statement no later than 30 days  
22    prior to assuming office.

1 ~~SEC. 2. Section 87202 of the Government Code is amended to~~  
2 ~~read:~~

3 ~~87202. (a) Every person who is elected to an office specified~~  
4 ~~in Section 87200 shall, within 30 days after assuming the office,~~  
5 ~~file a statement disclosing his or her investments and his or her~~  
6 ~~interests in real property held on the date of assuming office, and~~  
7 ~~income received during the 12 months before assuming office.~~  
8 ~~Except as specified in Section 83103.5, every person who is~~  
9 ~~appointed or nominated to an office specified in Section 87200~~  
10 ~~shall file such a statement not more than 30 days after assuming~~  
11 ~~office, provided, however, that a person appointed or nominated~~  
12 ~~to such an office who is subject to confirmation by the Commission~~  
13 ~~on Judicial Appointments or the State Senate shall file such a~~  
14 ~~statement no more than 10 days after the appointment or~~  
15 ~~nomination.~~

16 ~~The statement shall not be required if the person has filed, within~~  
17 ~~60 days prior to assuming office, a statement for the same~~  
18 ~~jurisdiction pursuant to Section 87203.~~

19 ~~(b) Every elected state officer who assumes office during the~~  
20 ~~month of December or January shall file a statement pursuant to~~  
21 ~~Section 87203 instead of this section, except that:~~

22 ~~(1) The period covered for reporting investments and interests~~  
23 ~~in real property shall begin on the date the person filed his or her~~  
24 ~~declarations of candidacy.~~

25 ~~(2) The period covered for reporting income shall begin 12~~  
26 ~~months prior to the date the person assumed office.~~

27 ~~SEC. 3. The Legislature finds and declares that this bill furthers~~  
28 ~~the purposes of the Political Reform Act of 1974 within the~~  
29 ~~meaning of subdivision (a) of Section 81012 of the Government~~  
30 ~~Code.~~